

### **REMARKS**

In the Office Action, the Examiner indicated that Claims 1 through 30 are pending in the application and the Examiner rejected all claims.

### **Claim Rejections, 35 U.S.C. §102**

On page 2 of the Office Action, the Examiner once again rejected claims 1-30 under 35 U.S.C. §102(b) as being anticipated by Chapter 7 (Disposition Sections 7.1, <http://www.stanford.edu/dept/UPA/chapter%207.html>) (referred to herein as "Chapter 7"). This rejection is respectfully traversed.

### **The Present Invention**

The present invention teaches a business asset management system, method, and computer-program product that operates in real time to allow all aspects of asset management to be performed automatically at a central server.

Claim 1 recites:

- identifying one or more of said assets for management and submitting an asset disposition request to said central server;
- at the central server, automatically, based on receipt of said asset disposition request, obtaining all required approvals for said asset disposition request;
- at the central server, automatically, based on said obtaining of all required approvals, effecting said asset disposition request; and
- at the central server, automatically modifying said data to reflect said effected disposition request.

Independent claim 11 recites similar language. Independent claim 21 recites that the same steps recited in claim 1 are performed by computer-readable program code.

The claimed asset management process is initiated by an employee of an organization using a client platform. Once the asset management process request is received by the central server from the client platform, a single, central server automatically performs all the steps of the process. When the process is complete, the central server immediately automatically updates the organization's data in real time to reflect that the asset management process has been completed.

**Chapter 7 (Disposition Sections 7.1, <http://www.stanford.edu/dept/UPA/chapter%207.html>).**

Chapter 7 teaches a procedure that will be followed by the employees in an organization for the disposition of an asset. The document informs the individual employees what specific, manual steps they are to carry out in the procedure.

In the procedures listed in Chapter 7, an employee is directed to dispose of an asset by submitting an on-line disposal request (DR). Once an employee submits the on-line DR, Chapter 7 lists the information that various employees and departments in the organization must gather about the asset and lists the steps that employees must perform in order to complete the asset disposal procedure. All the steps listed in Chapter 7 are carried out manually by multiple employees of multiple departments in the organization. Specifically, the table beginning on page 11, line 19 lists nine steps of the procedure that must be manually performed by designated employees/departments of the organization. For example, in step 3 on page 11, lines 25-27, a person in the Property

Management Office (PMO) reviews and approves a DR and then routes the DR to a person in the Surplus Property Sales division. In step 8 on page 12, lines 20-22, a person in the PMO updates the organization's records to reflect the disposal of the asset.

### **The Cited Prior Art Does Not Anticipate the Claimed Invention**

The MPEP and case law provide the following definition of anticipation for the purposes of 35 U.S.C. §102:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. @ MPEP ' 2131 citing *Verdegaal Bros. v. Union Oil Company of California*, 814 F.2d 628, 631, 2 U.S.P.Q. 2d 1051, 1053 (Fed. Cir. 1987)

### **The Examiner Has Not Established a Prima Facie Case of Anticipation**

As noted above, the present claimed invention includes a central server that automatically performs the steps required to manage an organization's disposal of assets. The central server automatically obtains all required approvals for said asset disposition request, automatically effects said asset disposition request, and automatically modifies said data to reflect said effected disposition request. As a result, employees of the organization are not required to spend time researching information about an asset in order to know what the proper procedure is for disposing of that asset. Additionally, the organization's asset management data is updated in real time to reflect changes in the status of its assets.

In contrast to the present invention, Chapter 7 does not control its asset management through a central server. Rather, Chapter 7 gives directions to the several different employees of several different departments in an organization regarding the manual steps that must be taken in order to dispose of the organization's assets.

In the Response to Arguments section on page 7-8 of the Office Action, the Examiner asserts that simply because the Chapter 7 document includes the word 'online', the procedure disclosed in the document is fully automated at a central server. The Examiner states that a central server is nothing but a computer dedicated to a certain purpose. However, in the same paragraph, the Examiner states that Chapter 7 comprises multiple computers, servers, databases, circuits/dedicated lines and routers – all the equipment needed for online transactions. The Examiner's position appears to contradict itself because, clearly, multiple computers and servers are not the same as a central server that performs all the steps of the present invention.

The Examiner appears to be basing his entire argument on the word 'online' that appears on page 5, line 16 in the Chapter 7 document, contending that this single word implies not only that the entire procedure of Chapter 7 is fully automated but that it is performed by a central server. This is incorrect. Chapter 7 clearly states, in the table on pages 11-12 of for example, that the various steps listed in the document are performed by several different people in several different departments in an organization. The word 'online' mere implies that a computer network is involved in some facet of the Chapter 7 procedure, nothing more. Nothing in Chapter 7 teaches or suggests that a central server automatically obtains all required approvals for said asset disposition request, automatically

effects said asset disposition request, and automatically modifies said data to reflect said effected disposition request as in the present invention.

In a telephone interview with the Examiner on December 13, 2007, the Examiner further stated that *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958) supported the position that the present claimed invention, in which the steps are performed automatically at a central server, is not patentable. However, *In re Venner* holds only that it is not invention to merely provide mechanical or automatic means to replace manual activity which accomplished the same result. The present invention does not merely replace manual activity with mechanical activity which accomplishes the same result. Rather, the present invention also provides a different structure that automatically performs, at a central server, all the steps of obtaining automated approval for an asset management process, consolidating the process to a single entity and dramatically decreasing both the time and effort required for asset disposal.

The Examiner states that page 5, line 16 of Chapter 7 discloses a central server configured to access data and software systems of said organization. However, nowhere does Chapter 7 contain any type of disclosure about any type of server. Page 5, line 16 on Chapter 7 simply discloses that disposal requests can be submitted online. As stated above, the word online does not disclose or suggest the automatic performance of the steps at a central server, as in the present invention.

Similarly, the Examiner states that page 5, line 27 of Chapter 7 discloses identifying one or more of said assets for management and submitting an asset disposition request to said central server. However, the five word sentence pointed to by the Examiner (“identify items which are excess”)

makes no mention of any type of server and the identification referred to in that line is only a classification of whether an asset is “excess” or not. Nothing in the cited passage or anywhere else in Chapter 7 discloses that an asset disposition request is submitted to a central server that automatically performs the disposition and updates the organization’s data, as recited in the independent claims of the present invention.

The Examiner further states that page 12, step 8 of Chapter 7 discloses automatically modifying said data to reflect said effected disposition request at the central server. However, the cited passage specifically discloses that it is the responsibility of a person in the Property Management Office (PMO) to manually update the records with the sales/scrap data per Surplus Property Sales (SPS) disposition report. A person in one division of the organization (PMO) must manually update the organization’s data based on information contained in a monthly report generated by another division of the organization (SPS). This type of manual updating of the organization’s records by different departments disclosed in Chapter 7 (and the delays and potential errors associated with it) is precisely the problem in the prior art that the present invention solves.

Unlike Chapter 7, the present system allows users to obtain automated approval for an asset management process when they initiate the process. The steps of the process are carried out at a central server. The system also ensures that assets are written off the books as soon as they have been disposed of. Further, a listing of surplus assets that can be utilized by other employees in the company is created and made available to the employees, and employees are able to

transfer assets to other employees, and update assets as appropriate. The process of Chapter 7 provides none of these benefits.

Although Chapter 7 discloses using computers for on-line form submission and email to send messages from one employee to another in order to perform isolated steps of the asset disposal process outlined in the document, nowhere does Chapter 7 disclose a central server or any type of computer that will automatically carry out the process of asset management and the updating of organization records as in the claimed invention. Accordingly, each of the independent claims (Claims 1, 11 and 21), and all claims depending therefrom, patentably define over Chapter 7 and are in condition for allowance.

### **Conclusion**

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

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The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 09-0461.

Respectfully submitted,

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Date

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